

UNITED STATES DISTRICT COURT

for the
District of Arizona

mx
8/4/17
United States of America)

v.)

Alfredo Escobar-Perez,
a.k.a.: Alfred Escobar Perez,
(A090 217 661)

Defendant

) Case No. 17-286 MS
)
)
)
)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of January 5, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

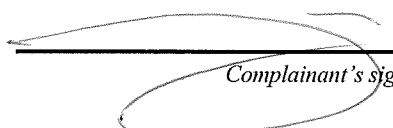
Alfredo Escobar-Perez, an alien, was found in the United States of America, at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Brownville, Texas, on or about May 3, 2011, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1). I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated By Reference Herein

CEB
REVIEWED BY: Charles E. Bailey, P.S. for AUSA Brandon Brown


☒ Continued on the attached sheet.


Complainant's signature

Gilbert V. Longoria,
Deportation Officer
Printed name and title

Sworn to before me and signed in my presence.

Date: August 7, 2017


Judge's signature

City and state: Phoenix, Arizona

Michelle H. Burns,
United States Magistrate Judge
Printed name and title

STATEMENT OF PROBABLE CAUSE


I, Gilbert V. Longoria, being duly sworn, hereby depose and state as follow:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On or about January 5, 2017, Alfredo Escobar-Perez was booked into the Arizona State Prison Complex (ASPC), Alhambra Reception, on an outstanding warrant as a half deport offender with the Arizona Department of Corrections (ADOC). While at the ASPC facility, Escobar-Perez was encountered by Corrections Officer (CO) F. Colmenero who was designated with the authority to determine alienage under the Immigration and Naturalization Act, Section 287(g). CO F. Colmenero determined Escobar-Perez to be a citizen of Mexico, illegally present in the United States. On January 18, 2017, an immigration detainer was lodged with the ASPC. On August 4, 2017, Escobar-Perez was released from the ADOC transported to the Phoenix ICE office for further investigation and processing. Escobar-Perez was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Alfredo Escobar-Perez to be a citizen of Mexico and a previously deported criminal alien. Escobar-Perez was removed from the United States to Mexico at or near Brownville, Texas, on or about May 3, 2011, pursuant to

the reinstatement of an order of removal issued by an immigration judge. There is no record of Escobar-Perez in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Escobar-Perez's immigration history was matched to him by electronic fingerprint comparison.

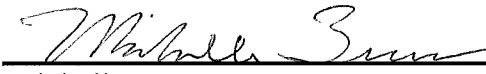
4. Criminal history checks revealed that Alfredo Escobar-Perez was convicted of Re-entry of Removed Alien, a felony offense, on May 3, 2010, in the United States District Court, District of Arizona. Escobar-Perez was sentenced to nineteen (19) months' imprisonment and three (3) years' supervised release. Escobar-Perez's criminal history was matched to him by electronic fingerprint comparison.
5. On August 4, 2017, Alfredo Escobar-Perez was advised of his constitutional rights. Escobar-Perez freely and willingly acknowledged his rights and agreed to provide a statement under oath. Escobar-Perez stated that his true name is Alfredo Escobar-Perez and that he is a citizen of Mexico. Escobar-Perez stated that he illegally entered the United States through the "desert," on an unknown date. Escobar-Perez further stated that he had been removed from the United States to Mexico and did not receive permission from the Secretary of the Department of Homeland Security to re-enter the United States after his removal.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about January 5, 2017, Alfredo Escobar-Perez, an alien, was found in the United States of America, at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States

at or near Brownville, Texas, on or about May 3, 2011, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).



Gilbert V. Longoria,
Deportation Officer,
Immigration and Customs Enforcement

Sworn to and subscribed before me
this 7th day of August, 2017.



Michelle H. Burns,
United States Magistrate Judge